

REMARKS

Applicants respectfully request reconsideration of this application as amended. Claims 1, 6 and 14 have been amended to present the claims in better form for allowance and for possible consideration on appeal. Applicants respectfully request the Examiner to accept the proposed amendments. Claims 2-5, 7-13, 15-18 and 20-22 have been cancelled without prejudice. No new claims have been added. Therefore, claims 1, 6 and 14 are now are presented for examination.

35 U.S.C. § 112 Rejection

Claims 20-22 are rejected under 35 U.S.C. § 112, first paragraph. Claims 20-23 have been cancelled to obviate this rejection. Accordingly, Applicants respectfully request that the rejection be withdrawn.

35 U.S.C. § 112 Rejection

Claim 7 is rejected under 35 U.S.C. § 112, second paragraph. Claim 7 has been cancelled to obviate this rejection. Accordingly, Applicants respectfully request that the rejection be withdrawn.

35 U.S.C. § 102 Rejection

Claims 1-3, 6-7 and 14-16 stand rejected under 35 U.S.C. §102(e) as being anticipated by Dabral et al., U.S. Patent No. 6,601,196 ("Dabral").

In accordance with 35 U.S.C. §103(c), *"subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned*

by the same person or subject to an obligation of assignment to the same person.” (35 U.S.C. §103(c); emphasis provided). This subsection “*applies to all . . . applications . . . including continuing applications filed under 37 CFR 1.53(b), continued prosecution applications filed under 1.53(d), and reissues.*” (M.P.E.P. §706.02(l)(1); emphasis provided).

In support of the required common ownership under 35 U.S.C. §103(c), it is hereby averred that the current application (Application Serial No. 09/752,880) and Dabral (U.S. Patent No. 6,601,196) were, at the time the invention of the current application was made, owned by, or subject to an obligation of assignment, to the same organization. Applicants respectfully submit that such statement alone is sufficient evidence to disqualify Dabral under 35 U.S.C. §103(c). See M.P.E.P. §706.02(l)(2)(II).

The current application qualifies as an application that will serve to exclude commonly owned 35 U.S.C. §102(e) prior art. Applicants respectfully submit that Dabral has been removed as a reference under 35 U.S.C. §102(e) against the claims of the current application. Accordingly, Applicants respectfully request the rejection be withdrawn.

35 U.S.C. § 103 Rejections

Claims 3 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over La Joie et al., U.S. Patent No. 5,933,594 (“La Joie”), Tanaka et al., U.S. Patent No. 5,933,594 (“Tanaka”) and knowledge commonly known in the art in further view of Nakamura et al. U.S. Patent No. 6,496,583 (“Nakamura”).

Claims 1-2, 6-7, 14-15 and 19-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over La Joie, in view of Tanaka and knowledge which is well known in the art.

Claims 1, 6, 14 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gonzales et al. U.S. Patent No. 5,488,688 (“Gonzales”).

Claims 1, 6, 14 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yamamoto, U.S. Patent No. 5,903,719 (“Yamamoto”) and Tanaka.

Claims 1, 6, 14 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Assouad, et al., U.S. Patent No. 6,119,254 (“Assouad”) and Tanaka.

Claim 1, as amended, in pertinent part, recites that “the trigger is to facilitate un-intrusively observing, reading and echoing of one or more of a plurality of signals transmitted on the SBD memory bus [, and that] an observability port coupled with the buffer, the observability port to receive the echoed signals, wherein the observability port comprises a logic observability port; and an observability bus coupled with the observability port.” (emphasis provided). The cited references of La Joie, Tanaka, Gonzales, Yamamoto, and Assouad, neither individually nor when combined in any combination, teach or reasonably suggest that “the trigger is to facilitate un-intrusively observing, reading and echoing of one or more of a plurality of signals transmitted on the SBD memory bus [, and that] an observability port coupled with the buffer, the observability port to receive the echoed signals, wherein the observability port comprises a logic observability port; and an observability bus coupled with the observability port” as recited by claim 1. (emphasis provided). Accordingly, for at least the reasons set forth above, Applicants respectfully request the withdrawal of the rejection of claim 1.

Claims 6 and 14 contain limitations similar to those of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 6 and 14.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

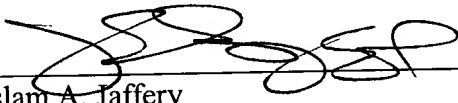
Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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